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ABSTRACT

This report presents data on all individuals under age 18 in state prisons, whether under the original jurisdiction of the juvenile or adult criminal system. Most of the data are from the National Corrections Reporting Program. On December 31, 1997, less than 1% of inmates in state prisons were under age 18, a proportion that has remained stable since the mid-1980s. The number of offenders under age 18, however, has more than doubled, from 3,400 in 1985 to 7,400 in 1997. In 1997, 61% of those persons admitted to state prison under age 18 had been convicted of a violent offense, compared to 52% in 1985. States vary in their housing and program assignments for inmates under age 18. Eight states offer segregated incarceration assignments that provide specialized educational, vocational, and life skills training for offenders under age 18. (Contains 10 tables, 1 figure, and 10 references.) (SLD)

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ED 439 203

Bureau of Justice Statistics
Special Report

February 2000, NCJ 176989

Profile of State Prisoners under Age 18, 1985-97

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Defendants under age 18 are prosecuted in either adult courts or juvenile courts, with State statutes defining the maximum age of juvenile court jurisdiction. In three States (Connecticut, New York, and North Carolina) all offenders age 16 or older are excluded from the juvenile system and handled in adult court. In 10 States (Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas, and Wisconsin) all offenders age 17 or older are automatically proceeded against in adult court. In the remaining 37 States and the District of Columbia, all defendants age 18 or older are processed as adults in criminal court.

Defendants whose ages are below these State-specified ranges can be statutorily excluded from juvenile court because of age and offense seriousness or can be transferred to adult court. As of 1997, all States had at least one mechanism that allowed persons under age 18 to be handled in the adult criminal system.

A wide range of correctional responses exists for persons under 18 sentenced as adults. A small, but unknown, percentage of State prisoners were sentenced in juvenile court. Most States allow certain categories of offenders under 18 to be incarcerated in adult prisons and housed with older inmates.

Highlights

Persons under 18 held in State prison at yearend

	Number held	Percent of all inmates
1985	2,300	0.5%
1990	3,600	0.5
1993	4,700	0.6
1995	5,300	0.5
1997	5,400	0.5

Persons under 18 admitted to State prison

	Number of admissions	Violent percent
1985	3,400	52%
1990	5,100	45
1993	6,300	52
1995	7,600	57
1997	7,400	61

Characteristics of State prisoners under 18 in 1997

	Admitted to prison	Held in prison
Gender		
Male	97%	92%
Female	3	8
Race/Hispanic origin		
White non-Hispanic	25%	19%
Black non-Hispanic	58	60
Hispanic	15	13
Other	2	8
Most serious offense		
Violent	61%	69%
Property	22	15
Drugs	11	11
Public-order	5	5

Sentence and minimum time to be served for persons under 18 admitted to State prison

	Average in months	
	All	Violent
Maximum sentence —		
1985	86 mo	109 mo
1997	82	98
Minimum time to be served		
1985	35 mo	47 mo
1997	44	59

- On December 31, 1997, less than 1% of inmates in State prison were under age 18, a proportion that has remained stable since the mid-1980's.
- The number of offenders under age 18 admitted to State prison has more than doubled from 3,400 in 1985 to 7,400 in 1997, consistently representing about 2% of new admissions in each of the 13 years.
- In 1997, 61% of persons admitted to State prison under age 18 had been convicted of a violent offense compared to 52% in 1985.
- The violent arrest rate for persons under age 18 did not change dramatically between 1980 and 1988, but increased over 60% from 1988 and 1994, then fell 23% from 1994 to 1997.
- Relative to the number of arrests, the likelihood of incarceration in State prison has increased for offenders under age 18. In 1997, 33 persons were sentenced to prison for violent offenses for every 1,000 arrests for violent offenses, up from 18 per 1,000 violent arrests in 1985.
- Among persons under age 18 sentenced to State prison in 1997, the average maximum sentence for violent offenses was about 8 years, and the minimum time expected to be served was nearly 5 years.

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States utilize three general types of transfer mechanisms

States use different provisions for transferring persons under age 18 to criminal court. These include *statutory exclusion laws, prosecutorial direct-file provisions,* and *judicial waiver.* As documented in *State Legislative Responses to Violent Juvenile Crime: 1996-97 Update* by Patricia Torbet and Linda Szymanski (NCJ 172835), all but 10 States modified their transfer statutes from 1992 to 1995.

Statutory exclusion laws (also called mandatory transfer) automatically exclude certain offenders under age 18 from juvenile court jurisdiction, with legislatures typically specifying age and offense criteria. As of 1997, 28 States had some type of statutory exclusion law in place.

Prosecutor direct-file provisions give prosecutors the ability to file certain juvenile cases in either juvenile or criminal court. In 1997, 15 States had direct-file statutes in place.

Judicial waiver allows juvenile court judges to waive jurisdiction over a juvenile case and transfer it to criminal court. There are three general forms of judicial waiver:

- In 1997, 46 States and the District of Columbia allowed *discretionary waiver,* giving juvenile judges the ability to waive juvenile cases at their discretion.
- 14 States had *mandatory waiver* statutes in which a juvenile court judge, after finding probable cause, is required to waive jurisdiction.
- 14 States and the District of Columbia had *presumptive waiver* provisions, in which certain categories of juvenile offenders must be waived unless they prove they are amenable to juvenile rehabilitation.

This report includes data on all persons under age 18 in State prison, regardless of whether the individual was under the original jurisdiction of the juvenile or adult criminal system.

Number of persons under age 18 held in juvenile or adult correctional facilities, 1997

Year	Total number of persons under 18 in custody	State prison[a]	Local jails[b]	Juvenile facilities[c] Public	Juvenile facilities[c] Private	Incarceration rate[d]
1997	100,510	5,400	9,100	63,670	22,340	509

[a]See *Methodology* for calculation of State prison population estimates.
[b]Jail estimates are midyear counts from the Annual Survey of Jails.
[c]Data on persons held in juvenile facilities are from the Census of Juveniles in Residential Placement (1997). These data include only persons under age 18 committed or detained in juvenile facilities and exclude status offenders and nonoffenders. In the Federal system, persons under 18 sentenced to prison are confined in contract juvenile correctional facilities.
[d]Rates are based on the number of persons under age 18 in custody per 100,000 U.S. residents ages 13 to 17 on July 1, 1997, and have been adjusted for Census undercount.

5% of confined persons under 18 were held in State prison

In 1997 law enforcement agencies made an estimated 2.8 million arrests of persons under age 18, including 123,000 arrests for violent Index offenses and 700,000 for property Index crimes. Although State prison admissions relative to arrests increased from 1985 to 1997, most confined young offenders continued to be held in juvenile correctional facilities.

At yearend 1997 an estimated 100,510 persons under age 18 were in custody of adult or juvenile correctional facilities in the United States. About 86,000 or 86% of these offenders were held in public (64%) or private (22%) juvenile facilities, 9% were held in local jails, and 5% were confined in State prisons.

Comparable statistics do not exist for years before 1997, the first year for the Census of Juveniles in Residential Placement Facilities. Prior to 1997 juvenile facility figures were drawn from the Children in Custody survey, collecting aggregate data on persons in juvenile facilities. This survey did not distinguish between delinquents and nondelinquents under 18.

Incarceration rates were higher among offenders 18 or older than among persons under age 18

Relative to the number of U.S. residents ages 13 to 17, the rate of incarceration for persons under 18 in 1997 was 509 inmates per 100,000 U.S. residents. This rate includes all delinquents under age 18 in custody of juvenile or adult correctional facilities. The incarceration rate was greater for offenders age 18 or older held in State or Federal prison or in local jails. Overall, in 1997 there were 864 inmates per 100,000 U.S. adult residents.

States using blended sentences link adult and juvenile systems

Many States have developed blended sentencing options that allow the juvenile or criminal court to impose sanctions in both the juvenile and adult correctional systems (OJJDP, 1996). Statutes in Minnesota, Connecticut, and Montana are examples of sentencing options in which the juvenile court can impose a sanction that typically suspends the adult portion of the sentence barring a future violation of the law. Statutes in Arkansas and Missouri are examples where the criminal court can administer a blended sentence, with the adult sanction often suspended unless there is a violation.

States vary in their correctional responses for persons under 18 sentenced as adults

Among the incarceration practices for offenders under age 18 sentenced as adults, States apply *straight adult incarceration, graduated incarceration, and segregated incarceration.* (See page 10 for further discussion.)

Table 1. Number of persons under 18 held in State prison at yearend, 1985-97

Year	Number held *
1985	2,300
1986	2,400
1987	2,700
1988	2,900
1989	3,300
1990	3,600
1991	4,400
1992	4,600
1993	4,700
1994	5,000
1995	5,300
1996	5,400
1997	5,400

Note: Data for 1985-89, 1991-94, and 1996-97 were estimated using the 1986, 1991, and 1997 Survey of Inmates in State Correctional Facilities and the National Prisoner Statistics program (see Methodology for details). Data for 1990 and 1995 are based on the Census of State and Federal Correctional Facilities.
*Includes all persons under age 18 held in State prison

Nearly three-fourths of State inmates under age 18 were black or Hispanic

The majority of State prisoners under age 18 were black or Hispanic, according to the 1997 Survey of Inmates in State Correctional Facilities. An estimated 60% of the inmates under 18 were black, 19% were white, 13% were Hispanic, and 8% were Asian or American Indian. Most State inmates under age 18 were male (92%).

About 7 in 10 State inmates under age 18 in 1997 were incarcerated for a violent offense, including 37% for robbery, 13% for murder, and 13% for aggravated assault. An additional 15% of inmates under 18 were confined for property crimes, 11% for drug offenses, and 6% for public-order offenses.

Characteristic	State prison inmates: Under 18	Age 18 or older
Gender		
Male	92%	94%
Female	8	6
Race/Hispanic origin		
White*	19%	34%
Black*	60	46
Hispanic	13	17
Other	8	3
Most serious offense		
Violent offenses	69%	47%
Murder/nonnegligent manslaughter	13	13
Rape/sexual assault	2	9
Robbery	37	14
Assault	13	9
Property offenses	15%	22%
Burglary	8	11
Larceny	5	4
Drug offenses	11%	21%
Public-order offenses	5%	10%

*Excludes Hispanics.

Half of 1% of State inmates were under age 18 at yearend 1997

Approximately 5,400 State prisoners were under age 18 on December 31, 1997, up from 2,300 at yearend 1985 (table 1). These figures reflect the estimated 1-day count of persons under 18 in custody of State prison authorities. As a percentage of all inmates, State prisoners under age 18 have consistently represented about 0.5% of the State prison population since the mid-1980's. The total State prison population increased from about 451,800 inmates at yearend 1985 to 1,075,000 at yearend 1997.

Prison admissions rose 7% per year among persons under age 18

New admissions (or new court commitments) of offenders under age 18 increased from 3,400 in 1985 to an estimated 7,400 persons in 1997, representing an annual increase of about 7% per year (figure 1). The number of persons admitted under 18 peaked at 7,600 in 1995, then decreased slightly during 1996 and 1997.

On average, the increase in new admissions was greater among persons under age 18 (up 7% per year) than for persons of all ages entering prison (up 5% per year). The total number of persons admitted to State prison as new court commitments rose from 183,100 in 1985 to 323,000 in 1990, and then increased more slowly to 334,500 in 1997.

The National Corrections Reporting Program (NCRP) generally reports about 90% of all admissions. The data presented in this report were reestimated to reflect national totals for admissions among persons under age 18. (See *Methodology* for details.) To ensure greater comparability across jurisdictions, cases in this analysis were restricted to offenders whose sentence was greater than 1 year. As a result of these procedures, the estimates in this report differ from those produced in the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) *Juvenile Victims and Offenders: 1999 National Report* (NCJ 178257).

New court commitments to State prison, 1985-97

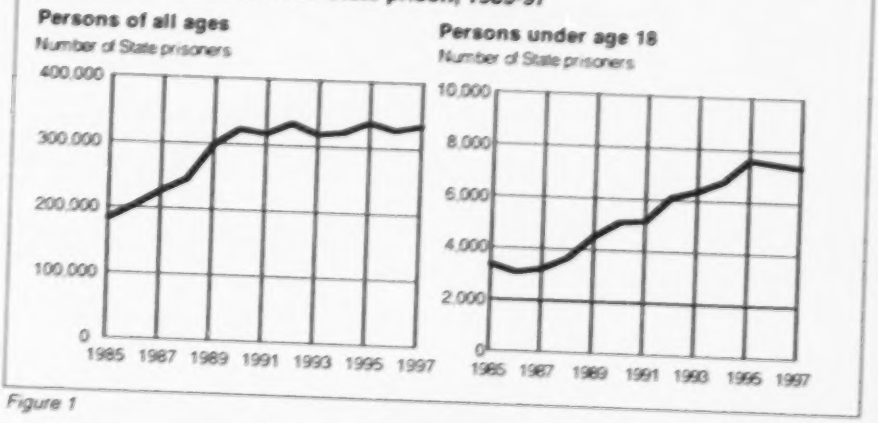

Figure 1

The number of persons under age 18 admitted for violent offenses nearly tripled in 13 years

Violent offenses were the main component to the growth in under-18 prison admissions between 1985 and 1997, representing 70% of the total increase. During 1997, 4,510 persons under 18 were admitted to State prison for violent offenses, up from about 1,730 in 1985 (table 2). As a percentage of all persons admitted under 18, violent admissions rose from 52% in 1985 to 61% in 1997.

The largest increases among persons admitted under 18 were for robbery and aggravated assault. The number admitted for robbery nearly tripled between 1985 and 1997 (from 930 to 2,360) and the number admitted for aggravated assault increased more than fourfold (from 230 to 1,060).

The number of offenders under age 18 admitted to prison for drug offenses increased twelvefold (from 70 to 840) between 1985 to 1997. By 1997 drug offenders made up 11% of admissions among persons under 18 compared to 2% in 1985. In contrast, the percentage admitted for property offenses decreased from 42% in 1985 to 22% in 1997. This drop was largely a consequence of a sharp decline in the percentage of offenders under 18 admitted for burglary.

Table 2. Number of persons under age 18 admitted to State prison, by most serious offense, 1985-97

	New court commitments of persons under age 18 to State prisons					
	1985		1990		1997	
Most serious offense	Number	Percent	Number	Percent	Number	Percent
All offenses	3,400	100%	5,100	100%	7,400	100%
Violent offenses	1,730	52%	2,270	45%	4,510	61%
Murder[a]	230	7	310	6	500	7
Sexual assault[b]	230	7	180	4	300	4
Robbery	930	28	1,020	20	2,360	32
Aggravated assault	230	7	570	11	1,060	14
Property offenses	1,410	42%	1,780	35%	1,590	22%
Burglary	930	28	940	19	950	13
Larceny/theft	230	7	300	6	230	3
Motor vehicle theft	110	3	320	6	160	2
Drug offenses	70	2%	820	16%	840	11%
Public-order offenses	140	4%	200	4%	360	5%

Note: All data are estimated. Includes only those with a sentence of more than 1 year. In 1997, 1% of offenders under 18 were admitted for "other" offense types. Other offense types are not shown in detail. See *Methodology* for procedures used for calculating national estimates.
[a]Includes nonnegligent manslaughter.
[b]Includes forcible rape and other sexual assaults.

In 1996, 9,160 persons under 18 were convicted of violent felonies; nearly 4,200 were sent to prison

In 1996, the latest year for which felony conviction data are available, nearly 138,500 persons ages 13 to 17 were arrested for violent offenses, including murder, nonnegligent manslaughter, forcible rape, robbery, aggravated assault, and other sexual assault (table 3). For comparable violent offenses, State courts convicted more than 9,100 persons under 18 and State prisons admitted 4,160 persons under age 18. The majority of persons arrested under age 18 in 1996 were handled in the juvenile justice system.

Although data on individual cases tracked from time of arrest to final disposition are not available for persons under age 18, simple ratios of convictions to arrests and prison admissions to convictions approximate the likelihood of conviction and incarceration given an arrest. These ratios suggest that of persons under age 18 in criminal

Table 3. Felony convictions and admissions to State prison relative to the number of arrests for persons under age 18, 1996

	Uniform Crime Reports (UCR)	National Judicial Reporting Program (NJRP)		National Corrections Reporting Program	
Most serious offense	Number of persons arrested ages 13-17	Number of felony convictions	Number of felony convictions per 1,000 arrests	Number of admissions to State prison	Number of admissions to State prison per 1,000 felony convictions
Violent offenses[a]	138,470	9,161	66	4,180	456
Murder[b]	2,820	998	354	500	501
Sexual assault[c]	18,970	793	42	310	391
Robbery	47,340	4,375	92	2,280	521
Aggravated assault	69,340	2,995	43	1,090	364
Property offenses[d]	622,720	8,750	14	1,420	162
Burglary	119,040	5,256	44	1,030	196
Larceny/theft	433,390	2,877	7	240	83
Motor vehicle theft	70,290	617	9	150	243
Drug offenses	207,120	6,019	29	860	143

Note: All data are estimated. See *Methodology* for estimation of arrests (UCR), felony convictions in State courts (NJRP), and State prison admissions (NCRP) by offense. NJRP estimates a total of 29,000 State felony convictions of persons under age 18 at time of arrest.
[a]Includes only murder, sexual assault, robbery, and aggravated assault.
[b]Includes nonnegligent manslaughter.
[c]Includes forcible rape and other sexual assault.
[d]Includes only burglary, larceny/theft, and motor vehicle theft.

court, those arrested for murder and robbery were the most likely to receive a prison sentence.

In 1996 for every 1,000 persons under age 18 arrested for murder, there were 354 persons convicted of murder in State court and 177 persons sentenced to prison. For every 1,000 persons under age 18 arrested for robbery, there were 92 convicted of robbery and 48 sentenced to prison. These ratios were substantially lower among other offense types.

As aggregates these rates are not based on individual cases tracked through the criminal system. Persons arrested for one offense may be convicted of a different crime. Cases initiated in one year may be disposed of in subsequent years. In addition, persons arrested or convicted under 18 may not be under 18 at the time of prison admission.

State prison admissions grew faster than arrests

Between 1985 and 1997, the likelihood of incarceration relative to arrests increased for persons under age 18 (table 4). In 1997 an estimated 33 persons under 18 were admitted to State prison for violent offenses for every 1,000 arrests, up from 18 per 1,000 violent arrests in 1985.

The number of admissions relative to arrests grew for murder, sexual assault, robbery, aggravated assault, and drug offenses between 1985 and 1997. In this period the number of admissions per 1,000 arrests for robbery, drug offenses, and aggravated assault more than doubled. For every 1,000 arrests for robbery, 29 persons under age 18 entered prison in 1985 and 63 persons in 1997. For every 1,000 arrests for aggravated assault, 6 persons under age 18 entered prison in 1985 and 16 persons in 1997. Among those under age 18 arrested for property offenses, the likelihood of prison, lower than for violent offenses, fluctuated across the 13 years.

Table 4. Number of admissions of persons under age 18 to State prison per 1,000 arrests of persons under age 18, 1985-97

Most serious offense	Number of new court commitments per 1,000 arrests				
	1985	1990	1992	1994	1997
Violent offenses[a]	18	17	21	23	33
Murder[b]	153	98	136	150	200
Sexual assault[c]	12	9	9	11	15
Robbery	29	27	33	34	63
Aggravated assault	6	10	12	12	16
Property offenses[d]	2	3	3	2	2
Burglary	6	8	8	7	8
Larceny/theft	1	1	1	1	1
Motor vehicle theft	2	4	4	3	2
Drug offenses	1	10	10	6	4

Note: All data are estimated. Arrests reflect the proportion of persons age 13 to 17 for a given offense by the total estimated number of persons arrested by offense (UCR).
[a]Includes only murder, sexual assault, robbery, and aggravated assault.
[b]Includes nonnegligent manslaughter.
[c]Includes forcible rape and other sexual assault.
[d]Includes only burglary, larceny/theft, and motor vehicle theft.

Table 5. Number of males under age 18 admitted to State prison, by race and most serious offense, 1985-97

Most serious offense	1985		1990		1997	
	White	Black	White	Black	White	Black
Total	1,300	1,900	1,500	3,300	2,600	4,300
Violent offenses	440	1,180	470	1,650	1,400	2,730
Murder	80	120	70	250	170	260
Sexual assault	80	160	60	110	160	140
Robbery	160	710	130	810	580	1,640
Aggravated assault	90	140	140	400	390	540
Property offenses	770	600	890	780	940	670
Burglary	510	390	540	350	610	360
Larceny/theft	110	120	120	150	130	100
Motor vehicle theft	50	60	120	180	70	100
Drug offenses	20	30	50	720	120	640
Public-order offenses	50	80	60	130	120	230

Note: All data are estimated. Data are not disaggregated by Hispanic origin. Includes only those with a sentence of more than 1 year. Other offense types not shown in detail. See *Methodology* for calculation of national totals by race estimated from NCRP.

Prison admissions more than doubled among male offenders under age 18

From 1985 to 1997, the number of black and white males admitted under age 18 to State prison more than doubled (table 5). In 1997, 4,300 black males under 18 entered State prison, compared to 1,900 in 1985. An increase in admissions for violent offenses, largely robbery, from 1,180 to 2,730 was responsible for 65% of the overall growth. Increased admissions for drugs accounted for another 25%.

A similar pattern of growth in violent offenders existed for white males under age 18. The number of white males under age 18 admitted to State prison doubled between 1985 and 1997, from 1,300 to 2,600. Admissions for violent offenses accounted for 73% of the total growth in admissions of young white males. Property offenses accounted for an additional 13% of the growth.

During 1985, an estimated 20 white males and 30 black males under age 18 were admitted to State prison for drug offenses. In 1997 black males under age 18 outnumbered white males of the same age by more than 5 to 1 (640 to 120 admissions for drug offenses).

Table 6. Selected characteristics of persons under age 18 admitted to State prison, 1985-97

Characteristics	New commitments to State prison for persons under age 18		
	1985	1990	1997
Gender			
Male	97%	98%	97%
Female	3	2	3
Race/Hispanic origin			
White*	32%	21%	25%
Black*	53	61	58
Hispanic	14	15	15
Other	1	1	2
Age at admission			
14 or under	0%	0%	1%
15	2	3	4
16	18	17	21
17	80	80	74
Education			
8th grade or less	32%	28%	28%
9th-11th grade	63	68	66
High school graduate	4	3	5
Some college	0	0	0
Other	1	1	1

Note: Detail may not add to total because of rounding. Includes only those with a sentence of more than 1 year. High school graduate includes GED.
*Excludes Hispanics.

Nearly two-thirds of offenders admitted to State prison under age 18 were sentenced for a violent offense compared to a third of those ages 18-24

An estimated 111,100 offenders under age 25 were admitted to State prison as new court commitments in 1997. At the time of admission, 51% were ages 21 to 24, 42% were 18 to 20, and 7% were under 18.

Persons admitted under 18 were more likely to be black males sentenced to prison for a violent offense, especially robbery and aggravated assault (not shown in table).

Nearly 30% of offenders admitted under 18 in 1997 were black males convicted of robbery or aggravated assault, compared to 16% of those ages 18 to 20 and 11% of persons 21 to 24.

	Persons admitted as new court commitments, 1997 —		
	Under 18	18-20	21-24
Total	100 %	100 %	100 %
Gender			
Male	97 %	96 %	94 %
Female	3	4	6
Race/Hispanic origin			
White*	25 %	31 %	30 %
Black*	58	50	47
Hispanic	15	17	21
Other	2	2	2
Most serious offense			
Violent	61 %	39 %	32 %
Property	21	30	28
Drug	11	22	31
Public-order	5	7	8

Note: Includes only offenders with a sentence of more than 1 year. Detail may not add to total due to rounding.
*Excludes Hispanics.

Nearly 6 out of 10 offenders admitted to State prison under age 18 were black

Fifty-eight percent of offenders admitted under 18 in 1997 were black and 25% were white, representing a gradual change from 1990, when blacks comprised 61% of admissions and whites 21% (table 6). The racial characteristics of persons admitted under 18 had shifted more dramatically between 1985 and 1990. During this period the percentage of black admissions increased from 53% to 62%, and the percentage of whites fell from 32% to 21%. Hispanic admissions, as a proportion of all persons under age 18 entering State prison, have remained stable from 1985 to 1997. Two percent of persons admitted under age 18 in 1997 were Asian or American Indian.

Black offenders were more likely than offenders of other racial groups to be admitted to prison for violent offenses. For every 10 violent offenders admitted under age 18 in 1997, 6 were black, 2 were white, and 2 were Hispanic. Whites accounted for more than half of property offenders admitted under age 18 in 1997.

The vast majority of offenders admitted under age 18 were male, with females representing about 3% of admissions in 1997. Among these young female offenders, 72% were sentenced to State prison for violent offenses, including 21% for assault, 33% for robbery, and 9% for murder.

Age at admission decreased since the mid-1980's. In 1997, 26% of persons admitted under 18 were 16 or younger at time of admission, including 5% who were under age 16. In 1985 and 1990, 20% of offenders were 16 or younger at the time of admission to prison.

Nine out of ten offenders had not graduated from high school at the time of admission. Among persons admitted under 18 in 1997, 96% of blacks, 95% of Hispanics, and 90% of whites had not gone beyond the 11th grade.

Maximum sentences for violent offenders under age 18 were shorter on average in 1997

Recent sentencing reforms are linked to reducing the difference between the imposed sentence and the time actually served, and to increasing time served (see *Truth in Sentencing in State Prisons*, BJS Report, NCJ 170032). The mean sentence length imposed on offenders under 18 entering prison decreased from 86 months in 1985 to 82 months in 1997 (table 7). However, the projected minimum time expected to be served for persons under 18 increased between 1985 and 1997. If parole eligibility requirements, good-time credits, and early release policies are taken into account, persons under 18 entering prison in 1997 were expected to serve a minimum of 44 months in prison, up from 35 months in 1985.

Among violent offenders entering prison under 18, sentences have declined from an average of 109 months in 1985 to 98 months in 1997. On average, violent offenders admitted under 18 in 1997 were expected to serve 12 months longer than those admitted in 1985 (or a minimum of 59 months versus 47 months).

By offense, the largest monthly increase in average sentence length between 1985 and 1997 was for murder offenders, up from 231 months to 244 months. Offenders under 18 admitted to prison for murder in 1997, without a life sentence, were expected to serve 40 months longer than offenders admitted in 1985 (180 months versus 140 months).

Overall, 3% of offenders admitted under age 18 in 1997 were sentenced to life imprisonment. Among those convicted of murder/nonnegligent manslaughter, 32% were sentenced to life, 5% were sentenced to life without parole, and 1% were sentenced to death.

The average sentence length for robbery offenders admitted under 18 declined from 89 months in 1985 to 85 months in 1997. Yet, the minimum time expected to be served for these offenders increased 12 months over this time period, from 33 months to 45 months. Among person under 18 sentenced for weapons offenses, the average sentence length decreased 15 months between 1985 and 1997 (60 months to 45 months) but the minimum time to be served increased from 22 months to 28 months.

Offenders under 18 admitted in 1997 for drug offenses were sentenced to an average of 54 months in prison, a 7 month decline from 1990. These young offenders were expected to serve 4 months longer in 1997 than in 1990 (24 months versus 20 months).

Table 7. Maximum sentence and minimum time to be served, by offense for persons admitted under age 18, 1985-97

Most serious offense	New commitments to State prison for persons under age 18					
	Mean maximum sentence length[a]			Mean minimum time to be served[b]		
	1985	1990	1997	1985	1990	1997
All offenses	86 mo	82 mo	82 mo	35 mo	41 mo	44 mo
Violent offenses	109 mo	112 mo	98 mo	47 mo	59 mo	59 mo
Murder/nonnegligent manslaughter	231	246	244	140	121	180
Negligent manslaughter	138	144	115	58	72	59
Rape	151	127	131	67	57	72
Other sexual assault	135	119	96	54	58	58
Robbery	89	90	85	33	41	45
Assault	79	94	77	35	60	40
Other violent	65	68	63	27	57	31
Property offenses	60 mo	57 mo	57 mo	19 mo	27 mo	25 mo
Burglary	65	65	63	20	30	27
Larceny/theft	47	52	52	15	18	17
Motor vehicle theft	48	45	43	11	24	26
Other property	44	40	43	26	25	20
Drug offenses	51 mo	61 mo	54 mo	18 mo	20 mo	24 mo
Possession	43	52	54	17	19	20
Trafficking	57	70	55	15	22	27
Other unspecified drug	39	48	49	25	14	14
Public-order offenses	57 mo	46 mo	47 mo	19 mo	25 mo	25 mo
Weapons	60	49	45	22	22	28
Other public-order	56	44	51	17	27	20

Note: Includes only offenders with a sentence of more than 1 year. Excludes life sentences and persons sentenced to death. Detail may not add to total because of rounding.
[a]Maximum sentence length an offender may be required to serve for the most serious offense.
[b]Minimum time to be served is the jurisdiction's estimate of the shortest time each admitted prisoner must serve before becoming eligible for release.

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A growing number of inmates released from prison had been admitted under age 18

In 1997 an estimated 9,300 inmates released from prison had been admitted on their current sentence prior to their 18th birthday (not shown in table). This represented a 66% increase from 1985, when approximately 5,600 inmates were released from prison who had been admitted under the age of 18. Of persons released from State prison in 1990, an estimated 6,500 had been admitted on their current sentence while under age 18, an increase of 16% from 1985.

Among persons admitted under 18, an increasing percentage are released from prison unconditionally

The percentage of offenders who had been admitted to prison under 18 and then released unconditionally grew from 1985 to 1997 (table 8). Persons released unconditionally cannot be returned to prison for any remaining portion of their current sentence. In 1997, 21% of offenders were released who had served their entire prison sentence (or expired their sentence), up from 17% in 1985.

Among persons admitted under age 18 and exiting prison in 1997, 71% were released on a conditional basis, including 41% who were released at the discretion of the parole board. This represented a decline from 1985, when 78% of comparable offenders were released conditionally from State prison, 51% by the parole board.

Nearly half of prisoners released in 1997 were sentenced to prison for a violent crime

Among persons admitted to prison under age 18, sentences for violent offenses accounted for 48% of persons released in 1997 and 58% of those released in 1985 (table 9). The percentage of drug offenders grew among released inmates, from 1% to 17%, while the percentage of property offenders declined from 37% to 28%.

Fifty-nine percent of persons admitted to prison under age 18 and released in 1997 were black, 21% were white, and 18% were of Hispanic origin. Compared to inmates released in 1985, the proportion of whites decreased in the exiting population and the proportion of Hispanics increased.

Table 8. Method of release for persons admitted under age 18 and released from State prison in 1985, 1989, and 1997

Method of release	Among persons admitted under age 18, percent of first releases		
	1985	1990	1997
All methods	100%	100%	100%
Conditional releases	78%	78%	71%
Parole board	51	56	41
Mandatory parole	18	10	16
Probation release	8	11	11
Other conditional	1	1	3
Unconditional releases	18%	17%	22%
Expiration	17	15	21
Commutation/pardon	0	0	0
Other unconditional	1	2	1
Death	0%	0%	0%
Escape/AWOL	2%	2%	1%
Other releases	2%	2%	6%

Note: In 1990, 1989 data were substituted for Florida because of more complete reporting in that year. Table includes only offenders with a total sentence of 1 year released for the first time on their current sentence. Other releases includes transfers, releases on appeal or bond, and other methods of release from State prison. Detail may not add to total because of rounding.

Table 9. Selected characteristics of persons admitted under age 18 and released from State prison in 1985, 1990, and 1997

Demographic characteristic	Among persons admitted under age 18, percent of first releases		
	1985	1990	1997
Total	100%	100%	100%
Gender			
Male	97%	98%	97%
Female	3	2	3
Race/Hispanic origin			
White*	28%	24%	21%
Black*	58	60	59
Hispanic	13	15	18
Other	1	1	2
Education			
8th grade or less	37%	30%	26%
9th-11th grade	59	66	64
High school graduate	4	4	9
Some college	0	0	0
Other	0	1	1
Offense type			
Violent offenses	58%	40%	48%
Property offenses	37	42	28
Drug offenses	1	14	17
Public-order offenses	4	4	6
Other offenses	0	1	1

Note: Excludes death, transfers, escape/AWOL, other releases and cases missing release type. Includes only offenders with a total sentence of 1 year released for the first time on their current sentence. High school graduate includes GED. Detail may not add to total because of rounding.
*Excludes Hispanics.

Released violent offenders admitted under 18 had served 53% of their sentences in 1997 and 46% in 1985

State prisoners admitted under age 18 and released for the first time on their current offense in 1997, served on average 37 months, or 33 months in prison and 4 months in jail (table 10). This represented little change from prior years. Offenders admitted under 18 and released in 1990 served an average of 35 months, or 31 months in prison and 4 months in jail, while comparable offenders released in 1985 served 37 months, 33 months in prison and 4 months in jail.

The average total time served has fluctuated for violent offenders under age 18. Following an increase between 1985 to 1990 (44 months to 55 months), total time served for violent offenders fell to 46 months for those released in 1997. Only violent offenders admitted under age 18 for murder/nonnegligent manslaughter (69 months versus 106 months) and rape (63 months versus 80 months) served appreciably longer sentences in 1997 than in 1985.

The patterns of time served for nonviolent offenders differed from that for violent offenders. Between 1985 and 1997, the average time served for property offenders increased from 26 months to 33 months. The greatest increase among property offenders, was for those sentenced for larceny/theft who served on average 18 months longer in 1997 than in 1985. The average total time served for drug offenses fell from 26 months in 1985 to 22 months in 1997.

The proportion of the total sentence that offenders actually served in jail and prison increased from 1985 to 1997. Overall, offenders admitted under 18 and released in 1997 served 50% of their total maximum sentence compared to 46% in 1985. During this 13-year period, the proportion of the total sentence served increased for both violent offenders (46% to 53%) and property offenders (41% to 50%). Drug offenders served the smallest proportion of their given sentence, about 37% for those released in 1997, up from 30% in 1990.

Table 10. Time served and percent of sentence served among persons admitted under age 18 and released from State prison in 1985, 1990, and 1997

Most serious offense	Among persons admitted under age 18 and released: Mean total time served[a] 1985	1990	1997	Percent of sentence served[b] 1985	1990	1997
All offenses	37 mo	35 mo	37-mo	46%	45%	50%
Violent offenses	44 mo	55 mo	46 mo	46%	51%	53%
Murder/nonnegligent manslaughter	69	115	106	35	47	53
Negligent manslaughter	60	59	53	55	62	53
Rape	63	83	80	51	66	56
Other sexual assault	49	38	49	49	32	59
Robbery	40	47	42	46	49	52
Assault	39	37	41	53	53	58
Other violent	--	--	24	--	--	47
Property offenses	26 mo	25 mo	33 mo	41%	40%	50%
Burglary	28	30	33	42	40	47
Larceny/theft	21	15	39	36	31	57
Motor vehicle theft	26	25	29	55	50	60
Other property	12	21	21	48	50	47
Drug offenses	26 mo	16 mo	22 mo	50%	30%	37%
Possession	--	14	26	--	29	42
Trafficking	16	17	21	29	28	34
Other unspecified drug	--	14	20	--	30	42
Public-order offenses	26 mo	23 mo	27 mo	46%	51%	51%
Weapons	30	25	27	63	52	51
Other public-order	26	18	26	43	45	47

Note: Includes only offenders with a sentence of more than a year released for the first time on the current sentence. Excludes prisoners released by escape, death, transfer, appeal or detainer. Details may not add to total because of rounding.
--Fewer than 10 cases.
[a]Total time served in prison includes average time served in prison and average time spent in jail credited towards current sentence.
[b]Based on the mean total time served and mean total maximum sentence length by offense.

Persons under 18 admitted to facilities under contract to the Federal Bureau of Prisons

During fiscal year 1997, 189 persons under age 18 were admitted to juvenile correctional facilities under contract to the Federal Bureau of Prisons. The Federal Bureau of Prisons does not have its own facilities for persons under 18. Half of these offenders had been adjudicated delinquent for a violent offense and nearly a third for a property offense.

Seventy-two percent of persons admitted under 18 were Native Americans, 18% were white, 7% were black, and 3% were Asian. About 10% of persons admitted under 18 were of Hispanic origin. The majority of confined offenders were U.S. citizens (95%), 4% were Mexican citizens, and 1% were citizens of Honduras or Colombia.

Characteristic	Percent admitted under 18
Gender	
Male	95%
Female	5
Race	
White	18%
Black	7
American Indian	72
Asian	3
Hispanic origin	
Hispanic	11%
Non-Hispanic	89
Offense type	
Violent	52%
Property	31
Drug	6
Public-order	11
Country of origin	
United States	95%
Mexico	4
Other	1
Number of admissions	189

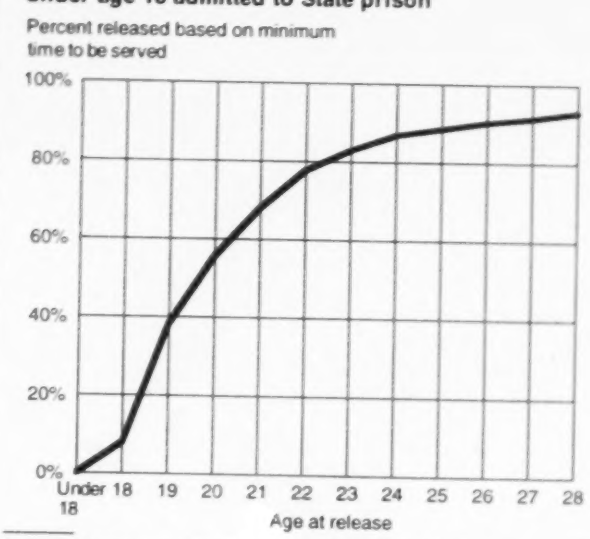
Source: Bureau of Prisons, Sentry system data file, fiscal year ending September 30, 1997.

Among persons under age 18, 78% expected to be released by age 21

Correctional officials report the minimum time to be served, an estimate of how long prisoners are expected to remain in prison, given their sentence and release policies.

Of persons under age 18 when admitted to State prison in 1997, an estimated 8% were expected to be released before their 18th birthday. Over a third of the offenders were expected to be release before age 19, and over three-fourths before age 22. Overall, 93% of offenders admitted under 18 in 1997 would have served their minimum sentence in State prison before reaching age 28.

Estimated age of release for persons under age 18 admitted to State prison



Note: Minimum time served was provided in 51% of all cases involving persons admitted to State prison under 18 in 1997 (NCRP). The expected age of release was estimated by adding age at admission to minimum time to be served. These calculations are estimates of the earliest possible release age and are not the actual age of release from prison.

Methodology

Data sources

National Corrections Reporting Program (NCRP)

This report presents data primarily from the NCRP, which collects individual level data for persons admitted to and released from State prison in each calendar year. These data cover prisoners admitted to or released from custody regardless of the jurisdiction where the prisoner was sentenced. The analysis is limited to prisoners with a total sentence of more than a year.

The NCRP data sets are available from the National Archive of Criminal Justice Data at the University of Michigan and can be downloaded via the Internet. A codebook, explanatory notes, and sample SPSS and SAS database setup files are included with each data set. The data sets for 1983 through 1996 are also available on a series of nine CD-ROM's.

National Prisoner Statistics (NPS)

The NPS program obtains year-end and midyear counts of prisoners from departments of correction in each of the 50 States, the District of Columbia, and the Federal Bureau of Prisons. In an effort to collect comparable data from

State correctional systems differ in their housing and program assignments of inmates under age 18

States correctional responses available for persons under 18 who are sentenced to prison include straight adult incarceration, graduated incarceration, and segregated incarceration. The description of State correctional responses was summarized from *State Responses to Serious and Violent Juvenile Crime* (OJJDP, 1996).

Straight adult incarceration refers to persons under 18 incarcerated as adults with little differentiation in programming between inmates. Most States allow underage inmates to be housed in State correctional facilities with other adult offenders. Six States (Arizona, Hawaii, Kentucky, Montana, Tennessee, and West Virginia) require separate housing for State inmates under age 18. In North Dakota and California no person under age 16 can be held in an adult prison.

Graduated incarceration is employed in 12 States (Delaware, Georgia, Maryland, Missouri, North Dakota, Ohio, Oregon, Tennessee, Texas, Utah, Washington, and West Virginia). Inmates under 18 begin their sentences in a juvenile facility until they reach a certain age (usually 18). The offender can then be transferred to an adult facility to serve the remainder of the sentence, or, if the State chooses, can be released. The mechanism for transferring or releasing offenders varies across States.

Eight States (Florida, South Carolina, Colorado, Kentucky, New Mexico, Wisconsin, California, and New York) apply *segregated incarceration* assigning certain underage offenders to specific facilities based on age and programming needs. In Florida persons under 18 convicted in criminal court can be sentenced to the youthful offender program that separates ages 14-18 from ages 19-24. These programs offer youthful offenders specialized educational, vocational, and life skills training, as well as substance abuse treatment.

all jurisdictions, National Prisoner Statistics (NPS) distinguishes prisoners in custody from those under State jurisdiction. To have custody of a prisoner, a State must hold that person in one of its facilities. Excluded from NPS counts are persons confined in locally administered confinement facilities who are under the jurisdiction of local authorities.

Survey of Inmates in State Correctional Facilities (SISCF)

The SISCF, conducted every 5 to 6 years, provides data on the individual characteristics of prison inmates. Based on scientifically selected samples of facilities and of inmates held in them, these surveys provide information unavailable from any other source. For this report, information on the sex, race/Hispanic origin, and most serious offense of persons under age 18 was drawn from the 1997 survey.

Annual Survey of Jails (ASJ)

The ASJ collects information on the number of inmates held in local jails. Prior to 1994, jail inmate counts include only persons under 18 defined by State statute as juveniles and subject initially to juvenile court jurisdiction. In 1994 the definition was changed to include all persons under age 18.

National Judicial Reporting Program (NJRP)

The NJRP is a biennial survey largely based on court and prosecutors' records. It compiles information on the number and characteristics of persons convicted of a felony in State criminal courts nationwide.

Estimation procedures

Estimating State prison admissions and releases

The NCRP generally reports over 90% of all State prison admissions and releases. In order to account for differences in State participation and data reported and to draw year-to-year comparisons, national totals were estimated for each year. These figures were estimated by multiplying the proportion of new court commitments under age 18 reported in NCRP in each year by the total number of new court commitments with a sentence of more than 1 year (as reported in NPS). To obtain offense-specific estimates, the offense distribution of persons admitted under age 18 was multiplied by the estimated number of new court commitments under 18 for each year.

To obtain national estimates for persons admitted under 18 by race and gender, the proportion of male admissions under 18 by race (NCRP) was multiplied by the total number of black and white males admitted to State prison as new court commitments (see table 1.20 in *Correctional Populations in the United States, 1996*, NCJ 170013).

To obtain national estimates for prison releases by age at admission, the proportion of persons admitted under 18 in each release year (NCRP) was multiplied by the total number of releases with a sentence of more than 1 year (NPS). Releases excluded escapees, AWOL's, and transfers.

Estimating persons under 18 in State prison

To calculate the number of persons under 18 in custody of State prison authorities at yearend, the total number of State inmates in custody (from NPS) was multiplied by the proportion of State inmates under age 18 (from SISCF, 1986, 1991, 1997). State prison custody number for 1990 and 1995 were based on the Census of State and Federal Correctional Facilities.

Estimating arrests of persons ages 13 to 17 from the FBI's Uniform Crime Reports (UCR)

To account for law enforcement agencies that did not report to the UCR, among reporting agencies and for each Index offense, the proportion of arrests of persons ages 13-17 to all arrests for was calculated. This proportion was then multiplied by the FBI's nationally estimated number of arrests per offense, which considers reporting and nonreporting agencies.

Estimating State court conviction offenses for persons under age 18

To account for cases in which the defendant's age at arrest was unknown, the offense distribution for offenders under age 18 at the time of arrest, conviction, or sentencing was calculated. Then a national total for persons under 18 convicted in State courts was generated (29,000 persons), which included an adjustment for missing data from New York. This readjusted national total was multiplied by the distribution of conviction offenses known for 21,000 persons under 18.

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*U.S. Government Printing Office: 2000 — 461-062/00039

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This report and others from the Bureau of Justice Statistics are available through the Internet —

http://www.ojp.usdoj.gov/bjs/

The data from National Corrections Reporting Program, the Surveys of Inmates in State Correctional Facilities, and the Annual Survey of Jails are available from the National Archive of Criminal Justice Data, maintained by the Institute for Social Research at the University of Michigan, 1-800-999-0960. The archive may also be accessed through the BJS Internet site.

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